

# Attachment A. Priority Issues and Solution Options

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# Priority Issues and Solution Options

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*[Note: The following summary is attached to provide the reader background of previous Water Transfer Work Group developments. The text originally was agreed to by the Work Group to help CALFED record important Program direction, as well as minority opinions. The resulting information helped guide the Work Group through the development of the Program plan itself.]*

At the first BDAC Water Transfer Work Group meeting, in July 1997, BDAC members and invited participants identified third-party impacts and groundwater resources protection as priority issues for consideration. CALFED staff proposed that the Work Group focus its efforts on developing solution options and, if possible, policy recommendations to BDAC and CALFED regarding these issues.

BDAC Water Transfer Work Group meetings subsequent to the first meeting centered on presentations of case studies that provided "real world" illustrations of transfer projects, third-party impacts, and groundwater issues.

At the November and December (1997) Work Group meetings, participants "brainstormed" solution options and produced a rough list of ideas to be considered in developing policy recommendations for addressing third-party impacts and groundwater resource protection. These solution options were sorted and, based on the discussion among Work Group meeting participants, staff attempted to refine and prioritize the solution options with some general measure of support as part of a water transfer policy framework.

Support for these solution options was not unanimous, and in some cases was (and is) tentative or conditional, depending on other aspects of the policy framework, how the policy is implemented, or other aspects of the CALFED Program. Nevertheless, it is the opinion of CALFED staff and consultants that these solution options will be supported by a significant number of stakeholders from the Work Group and the public.



# BROADLY SUPPORTED SOLUTION OPTIONS FOR PRIORITY ISSUES

The broadly supported solution options revolved around the need for:

- Baseline data collection
- Neutral party analysis and monitoring of transfers for informational purposes (non regulatory)
- Cumulative impact analysis
- Public disclosure of data and analysis
- Public participation in the transfer review and approval process

Specifically, the solution options discussed and supported by the Work Group can be described as a set of functions to be performed by an institution or entity as yet undefined that would satisfy the list of needs presented above. This could involve a new entity of some type or existing entities and agencies. Generally, the functions identified are:

1. Research and development as necessary to establish credible and adequate baseline information on groundwater conditions and groundwater/surface water interaction.
2. Extensive groundwater monitoring programs before, during, and after specific water transfer projects.
3. Development of analytic requirements for specific water transfer projects based on the type of water transfer (for example, intra-basin, inter-district, change in purpose of use, in-stream or environmental use, or out-of-basin transfer).
4. Adequate, project-specific environmental review and analysis of each water transfer proposal.
5. Basin-wide planning goals for surface water and groundwater resources.
6. Public disclosure of all pertinent information on each water transfer proposal, through a process funded by transfer proponents, and public participation in the review and approval process, including:
  - a. public notice of proposed water transfer projects;
  - b. public disclosure of water transfer proposals and plans, and an explanation of anticipated impacts and mitigation strategies;
  - c. disclosure and explanation of the claims process for parties seeking compensation for damages resulting from water transfers;

- d. decision making by the parties to the transfer and other legally responsible authorities in and through the public process; and
- e. educational programs for the public regarding water transfer terminology, process, and technical information.

## OTHER SOLUTION OPTIONS

In addition to the solution options that were broadly supported by the Work Group, a number of other solution options received support from a significant subset of the Work Group, primarily stakeholders focused on source area interests. Again, support for these solution options was often tentative or conditional, depending on other factors or aspects of the CALFED Program. These options include:

1. Evaluation of water transfers should include analysis of growth inducement in areas receiving transferred water.
2. Evaluation of water transfers should include analysis of local economic benefits and impacts of transfers. This might include fund tracking or establishing accountability for funds received for transferred water.
3. Entities purchasing or receiving transferred water should be required to meet certain efficiency criteria as a condition of obtaining transferred water.
4. Transfers that rely on groundwater substitution should not be approved on the basis of a programmatic-level environmental impact analysis.
5. Groundwater substitution pumping should be restricted to times when overlying groundwater users (not participating in the transfer) are not pumping for their own use.
6. CALFED should support the separation of the management of the State Water Project from the California Department of Water Resources.
7. CALFED should support the levy of a tax on every transfer of water to be used for transfer mitigation projects.

The Work Group also expressed a view on a concept that should **not** be part of a CALFED water transfer policy framework—the idea that a physical limit should be imposed on the amount of water that a region or political entity may transfer. The sense of the Work Group was that this decision should be made at the local level, provided that the review and approval process is adequate to protect local interests from adverse impacts of the transfer.